

# State and Tribal Government Working Group (STGWG)

Nashville, Tennessee – May 3, 2010

## KEY OUTCOMES

### OVERVIEW

Members appreciated the participation of all DOE officials at the STGWG meeting in Nashville, and are especially appreciative of the participation of high-level DOE management, such as Sky Gallegos, Deputy Assistant Secretary of the Office of Congressional and Intergovernmental Affairs, and Frank Marcinowski, Acting Chief Technical Officer and Deputy Assistant Secretary for Technical and Regulatory Support. Such participation demonstrates a continuing commitment to improve interaction with tribes and states. STGWG looks forward to our next Intergovernmental meeting with DOE in the fall.

### FULL STGWG ISSUES

- STGWG Committee Co-Chairs discussed the focus of each committee and plans for business moving forward. The Natural Resource Injury Assessment/Long-Term Stewardship (NRIA/LTS) and the Tribal Issues committees are operating committees and engage in business regularly. There was discussion about discontinuing the Integration and Disposition and Transportation committees. However, with the appointment of Dr. Cruz as the new I&D Committee Co-Chair and with the waste disposition and transportation issues surrounding the recent license suspension of the Yucca Mountain repository, there may be potential topics that the committees will choose to explore. All committees will remain active at this point.

—Jack Bell, Branden Doster, Barbara Harper and Greg Kaufman expressed interest in being members of the NRIA/LTS Committee and have been added to the roster.

—Debbie Duren, NRIA/LTS State Co-Chair, reported that Department of Interior (DOI) has posted a draft NRDAR document library at [www.cerc.usgs.gov/nrdar](http://www.cerc.usgs.gov/nrdar). It includes a compilation of resources relevant to restoration activities by agencies within or supported by DOI.

- A Long-Term Stewardship Conference, “Managing Today’s Change, Protecting Tomorrow’s Future—A Global Perspective on LTS&M,” will take place November 16-18, 2010 in Grand Junction, CO. Please contact Tony Carter at [tony.carter@hq.doe.gov](mailto:tony.carter@hq.doe.gov) for more information.

### TRIBAL ISSUES

- Dr. Rico Cruz, Confederated Tribes of the Umatilla Indian Reservation, was appointed Tribal Co-Chair for the Integration and Disposition (I&D) Committee. Dr. Cruz will serve alongside Jane Hedges, I&D Committee State Co-Chair.
- There are plans to hire a Senior Political Director of Tribal Affairs within the DOE Office of Indian Energy Policy and Programs. DOE is looking for more nominees and resumes along with recommendations as to how the office should be staffed.

- DOE's Office of Congressional and Intergovernmental Affairs hopes to hire another senior political appointee to aid in coordinating a Tribal Summit this fall and in response to the recent memo from the president on tribal consultation. All federal agencies must submit a progress report to the president in August detailing their tribal consultation plan. The final report is due to the president in November 2010. Several intra-agency wide work groups have been formed in response to this directive to bring about and to better understand early consultation with tribes.
- STGWG does not want DOE to lose interaction with STGWG tribes on the Tribal Summit. Deputy Assistant Secretary Sky Gallegos, Office of Congressional and Intergovernmental Affairs, suggested STGWG tribes could work with the Environmental Protection Agency in conducting regional meetings with other tribes in preparing for the Summit as well as consider the possibility of holding it collectively in the fall. Neil Weber is a part of a work group established by the EPA to improve communication and build stronger partnerships with tribes and offered to be a Point of Contact for Gallegos.
- A Tribal Steering Committee has been formed and work has begun on a report detailing all tribal activities and training aspects of each DOE program. Every Senior Assistant Secretary received a report on this tribal initiative for their review. Jody Tall Bear has been working with EM and its field contacts on training, including the online Tribal training.
- STGWG Co-Convener Willie Preacher provided background information on the Shoshone-Bannock Tribes' treaty, the Fort Bridger Treaty of 1868, including how the tribe uses it and how it relates to trust responsibility with the federal government and DOE. The federal government has the responsibility to honor agreements and treaties, which is why it is important for both federal government officials and tribes to be knowledgeable about the treaties that affect them in future decisions. There is a need for more public awareness of the legal and political framework that has shaped federal-tribal relations. This is the first of many future tribal tutorials from STGWG member tribes with a focus on the distinct and separate tribal treaties and legal drivers to be shared with states, other tribes and DOE officials.
- DOE interacted with the tribes early on during the Greater-Than-Class C (GTCC) Environmental Impact Statement (EIS) process. Some tribes chose not to participate, but still have the opportunity to review and add language to the draft EIS to be released this summer. A 90 day comment period is expected.